

Planning Policy
East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ
(BY EMAIL ONLY)

13 January 2023

RE: Draft East Devon Local Plan – consultation response

Dear Planning Policy,

I write in connection with the current consultation on the emerging Local Plan to submit a representation on behalf of Mr and Mrs Mayor. The representation is specifically submitted in connection with a site at Dark Lane, Sidmouth (LPA reference: Sidm_19).

The Dark Lane site was submitted to the Council during the most recent call for sites. The draft local plan issued for consultation and the site selection background work undertaken by the council has rejected the proposed allocation of the site for housing for the following reasons:

- Development of the site (26 max yield) would have a high landscape impact (Site within AONB with high intervisibility),
- major heritage impact,
- significant moderate adverse effect on ecology.
- Poor access with narrow lanes adjacent to heritage.

This representation is submitted to provide a response to this assessment and provides commentary on each of the reason for rejecting the site as an allocation.

Landscape sensitivity impact

We acknowledge that the site is within the AONB, which means that it is automatically highly sensitive, but this is the case for all undeveloped land at Sidmouth, including the preferred allocation Sidm_1. It is also the case that the sensitivity of land within the AONB varies from site to site based on the characteristics of the site and how it relates to the wider landscape. It is here where the site selection assessment of the site and its development is considered incorrect.

The Site, as the site selection assessment details, is surrounded by existing development on three sides as is clear from the below aerial image.



The site is also bound by existing trees and hedgerows and lies at a low level within the landscape. Given this it is clear that the site is well contained from the wider landscape and not highly visible, as the site selection work undertaken confirms. The below image from the B3176 looking directly towards the site (site location indicated by red line) demonstrates this fact (with a number of mature trees in the wider landscape preventing direct views of the site) and how this part of the AONB landscape is already has a substantial amount of built form present within it.



The site selection assessment further outlines how the presence of mature hedgerows and trees on site add to the rural character. As part of the development of the site it would be possible to retain the majority of existing hedges and trees around the boundary of the site and also within it, thereby, preserving its rural character and minimising the visibility of the development within the immediate vicinity.

Given the above, the site selection assessment of site, which concludes it is a site within AONB with high intervisibility, is incorrect and therefore landscape impact is not a justified reason for rejection of the site as a potential allocation.

Heritage – impact on historic environment

We fully understand that the site neighbours a grade II listed building (Old Manor Cottage) and there are other listed properties beyond that one (including Bulverton Cottages and Bulverton Well Farmhouse), and as such there is the potential for the development of the site to have an impact on those assets. However, any impact can be minimised and avoided with an appropriate approach the development of the site, particularly given the existing context to the site and those heritage assets.

The site selection work undertaken states that the impact on nearby heritage assets would be major due to the considerable change that would affect their setting. There is however already modern housing direct opposite Old Manor Cottage and Bulverton Cottages within the setting of these listed buildings and the wider built-up area of Sidmouth has already eroded their historic setting (as the aerial image included earlier in the letter shows). Therefore, with a sensitive design approach, a reduced level of housing, and retaining existing hedgerows and trees along the boundary between the site and the listed buildings, there is no reason why any additional impacts could not be minimised and avoided. The allocation policy for the site could specifically set out these requirements to ensure that is the case.

Ecology impacts

It is acknowledged that there could be some impacts on ecology as a result of the proposed development of the site, but that is the case for all greenfield sites including the preferred allocation Sidm_01. We also fully understand that the site is within the Beer Quarry and Caves SAC bat consultation zone but that is the same for all others sites at Sidmouth.

We note that the site selection assessment states how the site is 86 metres from an unconfirmed wildlife site, however, we are unclear exactly where that is located and what the sensitivity of that site is in relation to this site and the existing built-up area of the town. That said we note that the preferred site Sidm_01 includes an unconfirmed wildlife site and nature recovery network area. Despite this that site is proposed to be allocated.

The above assessment of potential ecology impacts does not raise anything of particular significance and certainly does not mean that the impact on ecology related to the development of this site would have unacceptable impacts on ecology or indeed the SAC designation. Indeed, the preferred site Sidm_01, has the same if not greater potential for impacts on ecology.

Any application for the development of the site would though fully assess those impacts and mitigate them. This is the case for all greenfield developments and the preferred site Sidm_01.

Given the above, there is no ecology reason why the Dark Lane site could not be allocated for development.

Access

The site selection assessment dismisses the site in part due to the narrow lanes that serve the site. We appreciate that the roads which serve the site are not ideal, being single track, however, it would be possible to improve this as part of the development of the site, without impacts on heritage. Also, this type of road is appropriate to serve smaller scale developments.

Ice House Lane which runs along the north western boundary of the site could be widened as part of access works to improve access arrangements. It could be widened from the access point to the site up to the railway underpass and include a footpath. If this was done then there would be a suitable access to site and it would be possible to retain Dark Lane as it is, thereby avoiding any impacts that works to Dark Lane would have on the setting of the listed Old Manor cottage.

Additionally, an alternative solution is being explored that would involve access being taken from the neighbouring Bulverton Park. More detail on this will be provided in due course should that option be advanced further.

Revised proposal

In light of the site selection assessment, we have reconsidered the development potential of the site and it is felt that it would be more appropriate to reduce the level of housing proposed to ensure that the development of the site can respond better to the site's context and adopt an appropriate design approach. This would minimise and avoid adverse impacts. A reduced level of development would also be more appropriate for the access.

It is therefore now proposed that the number of houses for the site could be limited to 11 houses (a 57.7% reduction). An indicative concept plan has been prepared to show at a high level how the site could come forward to provide this reduced level of development and achieve the approach to development set out in this letter. The layout shows a mix of detached (5 units – coloured blue) and semi-detached (6 units – coloured orange) alongside retained and additional trees and hedge planting along the Dark Lane boundary and a widened access road along Ice House Lane. Please find enclosed.

If you have any questions regarding the submission or require anything further then please get in contact with me.

Yours faithfully,

A black rectangular box redacting the signature of Richard Bailey.

Richard Bailey MRTPI PIEMA
Associate Director